

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
3085.PALM.PSI

First named inventor: Rocco DiValentino

Application No.: 09/580,272

Art Unit: 2145

Filed: May 25, 2000

Examiner: Mirza, Adnan

Title: Method and System for Adaptive Data Synchronization and Transport Across Multiple Data Transport Infrastructures

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (571) 272-3282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the office notice or action plus an extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in
the form of Amendment and Response to Office Action (identify type of reply):

- ☒ has been filed previously on February 16, 2006.
- ☐ is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Adjustment date: 12/21/2006 CKHLOK
11/07/2006 INTEFSW 00001438 503102 09580272
01 FC:1453 1500.00 CR

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

/Bosco Kim/
Signature

November 7, 2006
Date

Bosco Kim
Typed or printed name

41,896
Registration Number, if applicable

Berry & Associates P.C.
Address

(310) 247-2860
Telephone Number

9255 Sunset Boulevard Suite 810 Los Angeles, CA 90069
Address

Enclosures: ☒ Fee Payment☒ Reply☐ Terminal Disclaimer Form☒ Additional sheets containing statements establishing unintentional delay☐ Other: _____**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date

Signature

Typed or printed name of person signing certificate

Electronic Patent Application Fee Transmittal

| | | | | |
|---|--|-----------------|---------------|-----------------------------|
| Application Number: | 09580272 | | | |
| Filing Date: | 25-May-2000 | | | |
| Title of Invention: | Method and system for adaptive data synchronization and transport across multiple data transport infrastructures | | | |
| First Named Inventor/Applicant Name: | Rocco A. DiValentino | | | |
| Filer: | Bosco ByungMo Kim | | | |
| Attorney Docket Number: | PALM-3085.US.P | | | |
| Filed as Large Entity | | | | |
| Utility Filing Fees | | | | |
| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
| Basic Filing: | | | | |
| Pages: | | | | |
| Claims: | | | | |
| Miscellaneous-Filing: | | | | |
| Petition: | | | | |
| Petition-revive unintent. abandoned appl | 1453 | 1 | 1500 | 1500 |
| Patent-Appeals-and-Interference: | | | | |
| Post-Allowance-and-Post-Issuance: | | | | |
| Extension-of-Time: | | | | |

| Description | Fee Code | Quantity | Amount | Sub-Total in USD(\$) |
|-------------------|----------|----------|--------|----------------------|
| Miscellaneous: | | | | |
| Total in USD (\$) | | | | 1500 |

Electronic Acknowledgement Receipt

| | |
|---|--|
| EFS ID: | 1297594 |
| Application Number: | 09580272 |
| International Application Number: | |
| Confirmation Number: | 9398 |
| Title of Invention: | Method and system for adaptive data synchronization and transport across multiple data transport infrastructures |
| First Named Inventor/Applicant Name: | Rocco A. DiValentino |
| Customer Number: | 49637 |
| Filer: | Bosco ByungMo Kim |
| Filer Authorized By: | |
| Attorney Docket Number: | PALM-3085.US.P |
| Receipt Date: | 07-NOV-2006 |
| Filing Date: | 25-MAY-2000 |
| Time Stamp: | 13:55:29 |
| Application Type: | Utility |

Payment information:

| | |
|--|---------|
| Submitted with Payment | yes |
| Payment was successfully received in RAM | \$ 1500 |
| RAM confirmation Number | 1438 |
| Deposit Account | 503102 |

File Listing:

| Document Number | Document Description | File Name | File Size(Bytes) | Multi Part /.zip | Pages (if appl.) |
|-----------------|----------------------|-----------|------------------|------------------|------------------|
|-----------------|----------------------|-----------|------------------|------------------|------------------|

| | | | | | |
|---|-------------------------------|---|--------|----|----|
| 1 | Miscellaneous Incoming Letter | 3085-PALM_Petition_to_Revive_11-7-2006.pdf | 232999 | no | 3 |
| Warnings: | | | | | |
| Information: | | | | | |
| 2 | Miscellaneous Incoming Letter | 3085-PALM_Declaration-of-Facts_11-07-2006.pdf | 733273 | no | 15 |
| Warnings: | | | | | |
| Information: | | | | | |
| 3 | Fee Worksheet (PTO-875) | fee-info.pdf | 8203 | no | 2 |
| Warnings: | | | | | |
| Information: | | | | | |
| Total Files Size (in bytes): | | | 974475 | | |
| <p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 Indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> | | | | | |

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

| REQUEST FOR PATENT FEE REFUND | | | | |
|--|-----------------------------------|-------------------------------------|---|-------------|
| 1 Date of Request: <u>12-19-06</u> | | 2 Serial/Patent # <u>09/580,272</u> | | |
| 3 Please refund the following fee(s): | | 4 PAPER NUMBER | 5 DATE FILED | 6 AMOUNT |
| | Filing | | | \$ |
| | Amendment | | | \$ |
| | Extension of Time | | | \$ |
| | Notice of Appeal/Appeal | | | \$ |
| <input checked="" type="checkbox"/> | Petition | | 11-7-06 | \$ 1,500.00 |
| | Issue | | | \$ |
| | Cert of Correction/Terminal Disc. | | | \$ |
| | Maintenance | | | \$ |
| | Assignment | | | \$ |
| | Other | | | \$ |
| | | 7 TOTAL AMOUNT OF REFUND | | \$ |
| | | 8 TO BE REFUNDED BY: | | |
| | | Treasury Check | | |
| | | <input checked="" type="checkbox"/> | Credit Deposit A/C #: | |
| | | 9 | <div style="border: 1px solid black; display: inline-block; padding: 2px;"> 50--3102 </div> | |
| 10 REASON: | | | | |
| | Overpayment | | | |
| | Duplicate Payment | | | |
| <input checked="" type="checkbox"/> | No Fee Due (Explanation): | | | |
| Petition treated as one to withdraw holding of abandonment which requires no fee. | | | | |
| 11 REFUND REQUESTED BY: | | | | |
| TYPED/PRINTED NAME: <u>Bryan Lin</u> | | TITLE: <u>Legal Examiner</u> | | |
| SIGNATURE: <u>Bryan Lin</u> | | PHONE: <u>571-272-3303</u> | | |
| OFFICE: <u>Office of Deputy Commissioner for Patent Examination Policy</u> | | | | |
| ***** THIS SPACE RESERVED FOR FINANCE USE ONLY: ***** | | | | |
| APPROVED: <u>[Signature]</u> | | DATE: <u>12/21/06</u> | | |

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**